

TESTIMONY OF PAUL ROSENZWEIG
COUNSELOR (POLICY DIRECTORATE) AND ACTING ASSISTANT
SECRETARY FOR POLICY DEVELOPMENT
DEPARTMENT OF HOMELAND SECURITY
BEFORE
THE IMMIGRATION SUBCOMMITTEE OF HOUSE JUDICIARY
“THE WESTERN HEMISPHERE TRAVEL INITIATIVE: A CORNERSTONE OF
NATIONAL SECURITY”

June 8, 2006
Washington, DC

Chairman Hostettler, Ranking Member Jackson Lee, and other distinguished Members of the Committee, I am pleased to be here today to discuss how the Department of Homeland Security (DHS), in partnership with the Department of State (DoS), is working to thwart terrorist travel by strengthening documentation requirements for travel in the western hemisphere. The security rationale for the Western Hemisphere Travel Initiative (WHTI) is robust, and yet often unheard, particularly in regards to United States and Canadian citizens. Although secure travel for all of the Western Hemisphere is critical, we will focus here on the need for documentation for U.S. and Canadian citizens, because almost all other citizens (most Mexicans for example) are already required to present secure documentation at our borders that denotes identity and citizenship (such as a U.S. issued Border Crossing Card or visa as required for Mexicans).

Access to our nation is critical for a terrorist to plan and to carry out attacks on our homeland. As the 9/11 Commission’s Final Report states, “For terrorists, travel

documents are as important as weapons. Terrorists must travel clandestinely to meet, train, plan, case targets, and gain access to attack. To them, international travel presents great danger, because they must surface to pass through regulated channels to present themselves to border security officials, or attempt to circumvent inspection points.”¹

Travelers by land are not, however, uniformly subjected to Government prescreening checks (such as the No Fly and Advance Passenger Manifest System checks) made when individuals travel by air or sea. DHS officers cannot fully capitalize on this opportunity because of the current standards for traveling within the Western Hemisphere, which allow certain travelers (those who claim to be U.S. citizens, most Canadians, Bermudians, and some Mexicans) to enter the United States without documents proving citizenship or nationality.

The Western Hemisphere Travel Initiative, through its requirement that individuals carry a passport or other acceptable document(s), will greatly reduce the opportunities for fraud or misrepresentation of one’s true identity. Advanced technology imbedded in these travel documents with appropriate privacy protections will allow real time checks against terrorist and immigration databases. This automation will allow DHS to more effectively leverage our immigration system – specifically, the requirement for terrorists to “surface to pass through regulated channels to present themselves to border officials.”² Clearly, to protect our border, we must be able to inspect those who seek to cross it. Through WHTI, we have an opportunity to increase security not only for the U.S., but for the rest of the Western Hemisphere as well.

¹ 9/11 Commission report p.384

² Ibid.

This is an enormous challenge. We have over 7,000 miles of shared borders with Canada and Mexico, and each day DHS Customs and Border Protection (CBP) Officers inspect more than 1.1 million passengers and pedestrians. In Fiscal Year 2005, over 84,000 individuals were apprehended at the ports of entry trying to cross the border with fraudulent claims of citizenship or documents. Moreover, on an average day, CBP intercepts more than 200 fraudulent documents, arrests over sixty people at ports of entry, and refuses entry to hundreds of non-citizens, a few dozen of whom are criminal aliens.

At major ports of entry in particular, CBP inspectors face an enormous volume of travelers attempting to cross our borders, the vast majority of whom are legitimate. However, a DHS officer is today faced with either assessing an oral claim to citizenship, or scrutinizing the myriad forms of identification currently accepted – a time-consuming and challenging task. The number and types of documentation currently accepted – often a driver’s license or birth certificate – are prone to counterfeiting and fraud and are obtainable by terrorists and other dangerous persons who wish to enter our country illegally. In addition, currently, over 8,000 different types of documentation are presented by travelers to CBP officers. Limiting the number and type of documents accepted will help our inspectors identify individuals who present the greatest threat to our country. Maintaining the flow of commerce is critical, but we must also be confident in our determinations of who is crossing our border.

Opportunities at International Boundaries

It is important to bear in mind, when discussing our border with Canada, that it is a truly international boundary. We enjoy a very close relationship with our Canadian

neighbors, culturally and economically. We were particularly grateful for the very close cooperation and coordination that occurred between Canada and the U.S. regarding their arrests of suspected terrorists last week. Yet we are two distinct countries that share similar values but have diverse populations and have historically employed different immigration laws.

In March 2005, President George W. Bush, Prime Minister Paul Martin of Canada, and President Vicente Fox of Mexico unveiled a blueprint for a safer and more prosperous North America when they announced the Security and Prosperity Partnership of North America (SPP) in Waco, TX. There, “they agreed on ambitious security and prosperity agendas to keep our borders closed to terrorists and open to trade. The SPP is based on the premise that security and our economic prosperity are mutually reinforcing, and recognizes that our three great nations are bound by a shared belief in freedom, economic opportunity, and strong democratic institutions.

Guided by a Leaders Statement and Action Plans on Security and Prosperity, Cabinet Secretaries and Ministers convened trilateral working groups to develop concrete work plans and specific timetables for securing North America and ensuring legitimate travelers and cargo efficiently cross our shared borders; enhancing the competitive position of North American industries in the global marketplace; and, providing greater economic opportunities for all of our societies while maintaining high standards of health and safety.”³

Although much work remains, it is important to recognize the work accomplished through the Security and Prosperity Partnership. Through the SPP, the Canadian and Mexican governments are working with us to identify best practices for screening

³ www.spp.gov

travelers to North America and vetting those who wish to remain for permanent residence or citizenship in North America. In particular, we are working with Canadian authorities under the Security and Prosperity Partnership of North America on setting common standards for documentation that may be used to cross our common border.

Extremists Exploiting the Western Hemisphere

We greatly appreciate the outstanding cooperation between the United States and Canada in working to secure our common border. However, even as we work together to strengthen our borders, we are still faced with many challenges at home and at our borders. This is true in the United States, Canada, Mexico and our other Western Hemisphere neighbors.

Canadian Security Intelligence Service (CSIS) Deputy Director Jack Hooper recently informed a Canadian Senate national security committee that CSIS lacks the resources to vet a significant portion of the immigration cases referred to it. Mr. Hooper specifically noted that approximately 20,000 immigrants have come to Canada from the Afghanistan/Pakistan region since 2001.

Some extremists have demonstrated the ability to blend into a number of the large communities existing in major U.S. and Canadian cities. From such locations, extremists can conduct fundraising and other support activities, including proselytizing extremist ideals to segments of the youth population that they find susceptible.

In 2004, CSIS reported that terrorist representatives were actively raising money, procuring weapons, "manipulating immigrant communities" and facilitating travel to and from the United States and other countries. Besides al-Qaida, groups mentioned by CSIS

include: Islamic Jihad; Hezbollah and other Shiite groups; Hamas; the Palestinian Force 17; Egyptian Al Jihad and various other Sunni groups from across the Middle East. CSIS has said the Irish Republican Army, Tamil Tigers and Kurdistan Workers Party (PKK) and major Sikh terrorist groups also have supporters in Canada.⁴

The Government of Canada has shown that it is taking strong action to protect itself which also helps protect our citizens. Also, as with our own situation, the vast majority of persons who immigrate to Canada are law-abiding, simply seeking a better life for themselves and their families.

As populations increasingly mix and extremists recruit native-born youth and converts, travel documents become even more critical in identifying terrorists. Travel documents and travel patterns can provide inspectors with terrorist indicators – sometimes the only clue the government will receive.

Effectively Using the Border – A National Security Priority

Border security is a cornerstone of national security and as President Bush and Secretary Chertoff's creation of the Secure Border Initiative and allocations of resources for border security demonstrate, the Administration considers securing the border a top priority. If we are to protect our homeland from terrorist attacks, we must use all of the tools at our disposal.

The Canadian Senate Committee on National Security and Defense has also recognized the opportunity at the border. In their 2005 report they stated, “The border’ represents a rare opportunity for society, through government, to monitor and assess who and what comes and goes. It should not be wasted. ... Border crossings provide border

⁴ http://www.policeone.com/news_internal.asp?view=116677

inspectors a chance to go eye-to-eye with those individuals intent on causing harm. It isn't a perfect opportunity ... but it does allow trained officers to scrutinize [border crossers]. This opportunity should not be squandered.⁵”

Our international borders are extremely well run – so well run that they have been mistaken for much less than they are – our first line of defense. Some travelers have become used to crossing the border without identification – something that is done nowhere else in the world and a security vulnerability. We have an opportunity to install a system that will work to thwart individuals who intend to attack our citizens and our infrastructure. The WHTI will help make us safer. We are grateful to Congress given its legislative work in this area.

The WHTI will require all travelers to present secure documentation when crossing our border and will significantly increase security. It is important to bear in mind, however, that security and commerce are not exclusive of each other. In fact, standardized and automated travel documents will enable us to quickly, reliably, and accurately identify a traveler and his or her citizenship without having to review an assortment of documents and pursue a line of questioning to determine who the person is; this will facilitate the entry of travelers. To leverage this facilitation potential, DHS and DOS are developing plans to produce an alternative form of the U.S. passport for use at land border crossings. DHS and DOS realize that a traditional passport book may not be the most convenient or effective form of documentation for land border use, particularly for frequent crossers. Therefore, Secretary Chertoff and Secretary Rice jointly announced a proposed travel card for U.S. citizens. The DOS-issued travel card is

⁵ “Borderline Insecure” An Interim Report by the Senate Committee on National Security and Defense, June 2005. p.5 & 6

envisioned as wallet-sized and convenient to obtain, costing the bearer substantially less than a traditional passport. DOS will determine eligibility for the passport card in the same way that it determines eligibility for the traditional book passport. The card will contain security features and will use technology to link the identity and citizenship of the bearer to a U.S. government database in a privacy protective manner.

Because of the need to ensure that frequent crossers and residents of border communities can obtain necessary documents to ensure continued cross-border travel, we are also reviewing a variety of document options for these travelers. In addition to the passport book and card which are authorized under law, we are also reviewing the Border Crossing Cards (BCCs) for Mexican citizens, and the expansion of “trusted traveler” programs, which would expedite low-risk travelers, particularly those who reside in border communities and make frequent trips across the border as a routine part of their daily lives.

Existing “trusted traveler” programs are also being evaluated for expanded use at our land borders. These include the NEXUS, Secure Electronic Network for Travelers Rapid Inspection (SENTRI), and Free and Secure Trade (FAST) programs. These programs facilitate the crossing of low-risk, frequent travelers and commercial truck drivers at the land borders through exclusive, dedicated lanes.

The Way Forward

As we discuss options for alternative documentation consistent with our statutory mandate, we must not create new loopholes that could be exploited to undermine our border security. In particular, proposals for specific documents for infrequent travelers

must be evaluated carefully. These travelers often pose a greater security risk since we know so little about their background, travel history, itinerary, or purpose for travel. Since the requirements of the statute are for documents denoting identity and citizenship, it is potentially a great risk to consider any sort of “on-the-spot” issuance of identity and citizenship documents to these travelers. At the same time, we understand that there are significant travel, trade, and tourism concerns associated with spontaneous travel and we will continue to assess these issues.

The WHTI will be implemented in two phases: first in the air and sea environments by 2007; and second, along the land borders by 2008. Completing this task on time as required by law will deliver significantly stronger security for the Homeland.

The United States and its Western Hemisphere neighbors continue to work together, sharing information and improving their security systems. Canada, in particular, has made significant strides recently, including the recent arrests of the suspected terrorists. Additionally, since December 2005, the Canadian court system has cleared the way for several successful and important Canadian-related terrorism cases to proceed. This progress is encouraging and we continue to move in the right direction of increasing identity document security, increasing information sharing, and deploying the necessary resources to protect our border. However, we must not become lax in our efforts and we need to complement these advances with smarter, more efficient and more secure document controls at the border.

I will close by echoing the Canadian Senate’s sentiment that, “These [land border] crossings represent each country’s last, best chance to scrutinize persons and cargo that

should not be entering each other's territory.”⁶ Strong borders are a pillar of national security, and the Western Hemisphere Travel Initiative is a cornerstone of border security.

The Administration will continue to work with Canada and Mexico, and our other Western Hemisphere neighbors, to ensure the successful implementation of this initiative.

⁶ “Borderline Insecure” An Interim Report by the Senate Committee on National Security and Defense, June 2005. p.6